

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|--------------------------------|---|-------------------------|
| MERRY REED, et al. | : | |
| <i>Plaintiffs,</i> | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | No. 19-3110 |
| ARRAIGNMENT COURT MAGISTRATE | : | |
| JUDGE FRANCIS BERNARD, et al., | : | |
| | : | Hon. Harvey Bartle, III |
| <i>Defendants</i> | : | |

Status Report

Per this Court’s February 25, 2020, and April 7, 2020, Orders, Defendants Arraignment Court Magistrate Judges Francis Bernard, Sheila Bedford, Kevin Devlin, James O’Brien, Cateria McCabe, and Robert Stack, in their official capacities, and President Judge Patrick Dugan of the Philadelphia Municipal Court, in his official capacity (hereinafter “Judicial Defendants”), file this status report and state as follows:

1. This Court’s February 25, 2020, Order directs that “plaintiff may make its own audio recordings of bail hearings in the Philadelphia Municipal Court with silent handheld recorders beginning 45 days from the date of this order but only if the Philadelphia Municipal Court does not make available by that time official audio recordings or transcripts of bail hearings of the same type and quality and in the same manner that are made available for other judicial proceedings.” The Court’s April 7, 2020, Order extended that deadline until June 9, 2020.

2. In order to comply with the Court's Order while Judicial Defendants' Third Circuit appeal is pending, Judicial Defendants will make available certified transcripts of preliminary arraignments. The transcripts will be created from the current audio recording technology present in arraignment court. Municipal Court has taken steps to ensure that the audio quality is sufficient to make certified transcripts.

3. Thus, in addition to allowing contemporaneous in-person access to preliminary arraignments, Plaintiff and the public will be able to order certified transcripts of preliminary arraignments by email using the First Judicial District's transcript request form, which will be available online.

4. The cost for these transcripts will be the same as for other proceedings in Municipal Court and follows both the First Judicial District's transcript fee schedule and its time for delivery schedule.

5. Counsel for Plaintiff and Counsel for Co-Defendant have been made aware of Municipal Court's plans pending the Third Circuit appeal.

Respectfully submitted,

s/Michael Daley
MICHAEL DALEY, ESQUIRE
Attorney I.D. No. PA 77212
MEGAN L. DAVIS, ESQUIRE
Attorney I.D. No. PA 321341
Administrative Office of PA Courts
1515 Market Street, Suite 1414
Philadelphia, PA 19102
legaldepartment@pacourts.us
(215) 560-6300, Fax: (215) 560-5486
Counsel for Judicial Defendants

IN THE UNITED STATES DISTRICT COURT
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Certificate of Service

The undersigned certifies that on *June 9, 2020*, he caused the foregoing *Status Report* to be served via CM/ECF to all counsel of record

/s/ Michael Daley
MICHAEL DALEY, ESQUIRE
Attorney I.D. No. PA 77212
Supreme Court of Pennsylvania
Administrative Office of PA Courts
1515 Market Street, Suite 1414
Philadelphia, PA 19102
legaldepartment@pacourts.us
(215) 560-6326, Fax: (215) 560-5486